
Introduced by Senator Scott

February 21, 2003

An act to amend Section 2850 of the Probate Code, relating to conservatorship.

LEGISLATIVE COUNSEL'S DIGEST

SB 986, as introduced, Scott. Conservatorship and guardianship: Statewide Registry.

Existing law requires the Department of Justice to maintain a Statewide Registry of information regarding specified conservators and guardians. Existing law requires these conservators and guardians to file a signed declaration with the Statewide Registry containing specified information, including information about their backgrounds, their wards and conservatees, and the assets under their supervision.

This bill would make nonsubstantive, technical changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 2850 of the Probate Code is amended to
2 read:
3 2850. (a) The Department of Justice shall maintain a
4 Statewide Registry and shall make all information in the registry
5 available to the court for any purpose, but *the information* shall
6 otherwise be kept confidential. On request, the registry may
7 disclose to the public whether an individual is or is not registered
8 with the Statewide Registry. Except as otherwise provided in

1 Section 2854, all persons who wish to serve as a conservator or
2 guardian or who are currently serving as a conservator or guardian
3 shall register with the Statewide Registry and shall re-register
4 every three years thereafter.

5 (b) All conservators and guardians required to file information
6 with the clerk of the court pursuant to Section 2340 and to register
7 pursuant to this chapter shall file a signed declaration with the
8 Statewide Registry. A person who signs a declaration pursuant to
9 this subdivision asserting the truth of any material matter which he
10 or she knows to be false is guilty of a misdemeanor punishable by
11 imprisonment for up to one year in a county jail, or a fine of not
12 more than two thousand dollars (\$2,000), or both that fine and
13 imprisonment. The declaration shall contain the following
14 information:

15 (1) Full name.

16 (2) Professional name, if different from (1).

17 (3) Business address.

18 (4) Business telephone number or numbers.

19 (5) His or her educational background and professional
20 experience, including verification of any college or graduate
21 degree claimed.

22 (6) The names of the conservator's or guardian's current
23 conservatees.

24 (7) The aggregate dollar value of all assets currently under the
25 conservator's or guardian's supervision.

26 (8) Whether he or she has ever been removed for cause or
27 resigned as conservator or guardian in a specific case, the
28 circumstances of that removal or resignation, and the case names,
29 court locations, and case numbers.

30 (c) On request, the registry may disclose to a member of the
31 public the educational background and professional experience of
32 a conservator or guardian registered with the Statewide Registry.

33 (d) The Department of Justice may charge a reasonable fee to
34 persons registering and re-registering with the Statewide Registry
35 for the cost of that registration. The Department of Justice shall
36 issue a certificate of registration to each registrant.

37 (e) Each court clerk shall forward a copy of any complaint filed
38 with that court, and found to be meritorious by that court, against
39 a conservator or guardian in his or her capacity as a conservator or
40 guardian for inclusion in the Statewide Registry. The Statewide

- 1 Registry shall place ~~any~~ copies of those complaints in the file of
- 2 that conservator or guardian.

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